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TAGS: ECON ETRD LE PGOV PREL

SUBJECT: LEBANON: SPECIAL 301 DESIGNATION NOTIFICATION
DELIVERED TO GOL

REF: SECSTATE 56616

¶1. (SBU) In accordance with reftel, emboff delivered talking points regarding Lebanon's continued designation as a Priority Watch List country to appropriate officials at the Ministry of Foreign Affairs and the Ministry of Economy and Trade. Lama Oueijan, Senior Advisor to Minister of Economy and Trade Sami Haddad, conveyed appreciation for the advance notification and stated that Minister Haddad would study our positions and formally respond within 30 days. Ms. Oueijan indicated that although the GOL had been anticipating this announcement, the ministry was hopeful that the Office of the U.S. Trade Representative would recognize the progress made on several important IPR issues in spite of a difficult political environment.

¶2. (SBU) Referring to notes, the senior advisor specifically mentioned that since the last Special 301 Report, the government of PM Fouad Siniora was successful in modifying its Copyright Law and was currently in the process of adjusting its Patent Law, so that both statutes would be in conformity with international IPR and WTO standards. Ms. Oueijan explained that due to the opposition bloc's successful effort to indefinitely suspend parliament, it was necessary for the Siniora government to modify existing laws through ministerial action, rather than use the preferable method of drafting and passing entirely new laws in the legislature. Despite this political challenge, the Ministry of Economy and Trade was able to make sufficient changes to the existing copyright statute under its ministerial authority, and as a result, the law is now in compliance with TRIPS. The ministry is also currently making regulatory changes to the country's 2001 Patent Law that will bring it into compliance with WTO IPR standards. In particular, the ministry is seeking to provide further protections for U.S. pharmaceutical manufacturers, who have recently emphasized they are concerned with the confidentiality of test and manufacturing data they have submitted to the GOL in accordance with the approval process for marketing and distribution. (Note: Ministry officials met with representatives of U.S. pharmaceutical manufacturers on April 20 in Beirut to review and discuss proposed changes to the subject statute and reportedly both sides agreed the proposed changes would be satisfactory. End note.)

¶3. (U) The ministry representative noted that Minister Haddad would be attending this week's meeting of the Working Group for Lebanon's accession to the WTO in Geneva and would be prepared to discuss his government's progress and future strategy to attain full compliance with IPR conventions.

¶4. (U) Oussama Khachab, America's Desk Officer, Ministry of Foreign Affairs, also accepted the talking points on April

30, and stated he would forward the U.S. positions to the Director General for further action.

¶5. (SBU) In summary, officials of both ministries acknowledged that the GOL is aware of its IPR deficiencies, as well as the impact of these deficiencies on its accelerating efforts to accede to the WTO. The representative of the Ministry of Economy and Trade specifically noted that the government is working to address these areas as quickly as the complicated political situation in Lebanon allows.

FELTMAN